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Message Text

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ORIGIN L-03

INFO OCT-01 ISO-00 SS-15 CCO-00 SSO-00 /019 R

DRAFTED BY L/PM:JMICHEL/RS
APPROVED BY L/PM - JAMES MICHEL
S/S - FVORTIZ
---------- 124682
P 171848Z APR 76 ZFF4
FM SECSTATE WASHDC
TO USDEL SECRETARY PRIORITY

S E C R E T STATE 094118 TOSEC 100030

E.O. 11652: GDS

TAGS:MASS, MO, MR

SUBJECT:TRANSFER OF US ORIGIN DEFENSE ARTICLES TO MAURITANIA
AND MOROCCO-SUPPLEMENT TO ACTION MEMO ON SAME SUBJ.

REF: MEMORANDUM DATED APRIL 15, 1976 FROM L - MONROE LEIGH
TO SECRETARY. (7608029)

1. ALL ADDITIONAL CLEARANCES HAVE NOW BEEN OBTAINED ON
REFERENCED MEMORANDUM. THESE INCLUDE: AF - MR. BLAKE;
ACDA - MR. FINEGOLD; IO - MR. BAKER; H - MR. GOLDBERG.

2. FOLLOWING ADDITIONAL BUREAU VIEWS HAVE BEEN OBTAINED:

A. IO PREFERS OPTION 2.

B. H WOULD PREFER OPTION 3, BUT IN RECOGNITION OF PRACTICAL
PROBLEMS, RECOMMENDS OPTION 2. HOWEVER, H WOULD DEFER THE
FINDING OF MAURITANIAN ELIGIBILITY AND SUBMISSION OF ARMS
TRANSFER NOTICES TO CONGRESS UNTIL ONE MORE EFFORT IS MADE
TO PERSUADE THE GOVERNMENTS INVOLVED THAT IT WOULD BE VERY
CONDUCIVE TO A SMOOTH FUTURE AND CONTINUING RELATIONSHIP IF
THEY WOULD ASSIST US IN DEALING WITH WHAT WE ANTICIPATE
COULD BECOME A MAJOR CONGRESSIONAL PROBLEM. WE SHOULD ALSO
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STRESS THAT THE CONGRESSIONAL INTEREST ON THIS MATTER WILL

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MOST LIKELY CONTINUE TO GROW AND THE QUESTION WILL THUS HAVE TO BE REPEATEDLY RAISED IN THE FUTURE ON THE OCCASION OF ANY PROPOSED ARMS TRANSFERS EITHER FROM THIRD COUNTRIES OR FROM THE U.S. WE SHOULD INDICATE TO THEM THAT SOME STATEMENT INDICATING AN EVENTUAL EFFORT TO DEAL WITH THE QUESTION OF SELF-DETERMINATION FOR THE SAHARA WOULD GREATLY BUTTRESS THE PRESIDENT'S POSITION IN APPROACHING CONGRESS AND WOULD BE EXTREMELY VALUABLE IN CURBING CONGRESSIONAL CONCERN. TALKING POINTS IN DRAFT TELEGRAM AT TAB 2 SHOULD BE MODIFIED ACCORDINGLY.

3. FOLLOWING IS REVISED TEXT OF DRAFT TELEGRAM AT TAB 2 AS PROPOSED BY H:

"1. WE BELIEVE BEST INTERESTS OF U.S., MOROCCO AND MAURITANIA WILL BE SERVED IF CREDIBILITY OF POSSIBLE ATTACKS IN UN OR CONGRESS UPON LEGITIMACY OF MOROCCAN AND MAURITANIA ACTIONS IN SAHARA CAN BE MINIMIZED. IF UN SECRETARY GENERAL WALDHEIM AND SPANISH OR OTHER OSTENSIBLY NEUTRAL OBSERVERS CONTINUE TO MAINTAIN THAT MOROCCO AND MAURITANIA ARE NOT PROMOTING SELF-DETERMINATION PROCESS CONTEMPLATED IN APPLICABLE UN RESOLUTIONS, THIS CAN ONLY ENHANCE ALGERIAN EFFORTS. IT MIGHT ALSO RESULT IN QUESTIONS BY CONGRESS WHETHER MOROCCO AND MAURITANIA CONTINUED TO MEET APPLICABLE ELIGIBILITY STANDARDS FOR TRANSFERS UNDER THE FOREIGN MILITARY SALES ACT, I.E. USE OF U.S.-SUPPLIED EQUIPMENT SOLELY FOR LEGITIMATE SELF-DEFENSE OR MEASURES CONSISTENT WITH UN CHARTER. THIS QUESTION WOULD ARISE IN CONNECTION WITH ALL FUTURE ARMS TRANSFERS TO THESE COUNTRIES.

"2. THESE CONSIDERATIONS LEAD US TO REQUEST THAT YOU CALL UPON YOUR RESPECTIVE FOREIGN MINISTERS TO COMMUNICATE THE FOLLOWING POINTS FROM ME:

-- WE RECOGNIZE YOUR NEED FOR ADDITIONAL MILITARY EQUIP-MENT AND WANT TO BE HELPFUL;

-- WE DO NOT WISH TO BECOME INVOLVED IN THE LEGAL CONTRO-
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VERSY OVER THE CHARACTER OF YOUR ADMINISTRATION OF SAHARA;

-- AS A FRIEND, HOWEVER, WE ARE INTERESTED IN MINIMIZING THE CREDIBILITY OF CHALLENGES TO THE LEGITIMACY OF YOUR ADMINISTRATION EITHER BY PARTIES DIRECTLY INVOLVED IN THE CONTROVERSY OR OTHERS SUCH AS THE SECRETARY GENERAL;

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-- WE BELIEVE THIS COULD BE ACCOMPLISHED BY YOUR PUBLIC ACKNOWLEDGEMENT THAT ONCE YOU HAVE SECURED ORDER IN THE SAHARAN TERRITORY YOU WILL SEEK AGAIN TO ASCERTAIN THE WILL OF THE SAHARAN PEOPLE REGARDING THEIR FUTURE, WITH THE PARTICIPATION OF THE UN IN THE PROCESS.

-- THIS WOULD ENHANCE THE INTERNATIONAL ACCEPTANCE OF YOUR CURRENT ACTIONS AS WELL AS REDUCE THE POSSIBILITY OF QUESTIONS IN THE U.S. CONGRESS AS TO WHETHER YOUR USE OF U.S.-SUPPLIED MILITARY EQUIPMENT CONFORMED TO THE APPLICABLE USE RESTRICTIONS PRESCRIBED BY U.S. LAW, THAT IS USE FOR LEGITIMATE SELF-DEFENSE OR MEASURES CONSISTENT WITH THE U.N. CHARTER.

-- CONGRESSIONAL INTEREST IN THIS MATTER CAN BE EXPECTED TO CONTINUE AND GROW AND THE QUESTION MAY THUS BE REPEATEDLY RAISED IN CONNECTION WITH FUTURE ARMS TRANSFERS EITHER DIRECTLY FROM USG OR FROM THIRD COUNTRIES.

-- A STATEMENT BY (GOM/GIRM) INDICATING AN EVENTUAL EFFORT TO DEAL WITH THE QUESTION OF SELF-DETERMINATION FOR THE SAHARA WOULD GREATLY BUTTRESS THE PRESIDENT'S POSITION IN APPROACHING CONGRESS AND WOULD BE EXTREMELY VALUABLE IN CURBING CONGRESSIONAL CONCERN."
ROBINSON

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